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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 DONALD R. CAMERON, a California
resident; and PURE SWEAT
18 BASKETBALL, INC., an Illinois
corporation, on behalf of themselves and all
19 others similarly situated,

20 Plaintiffs,

21 v.

22 APPLE INC., a California corporation,

23 Defendant.
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CASE NO. 3:19-cv-03074-WHA

**STIPULATION FOR EXTENSION OF TIME
FOR DEFENDANT APPLE INC. TO
ANSWER OR OTHERWISE RESPOND TO
COMPLAINT PURSUANT TO CIVIL
LOCAL RULE 6-1(a)**

The Honorable William Alsup

1 Plaintiffs Donald R. Cameron and Pure Sweat Basketball, Inc. (“Plaintiffs”) and Defendant
 2 Apple Inc. (“Apple”), through their respective attorneys of record herein and without waiving any
 3 rights, claims, or defenses they have in this action, enter into this Stipulation pursuant to Civil Local
 4 Rule 6-1(a), with reference to the following circumstances:

5 WHEREAS, Plaintiffs filed their Complaint on June 4, 2019;

6 WHEREAS, Apple was served with the Complaint on June 13, 2019;

7 WHEREAS, Apple believes that this case is “related” to *In re Apple iPhone Antitrust*
 8 *Litigation*, No. 4:11-cv-06714-YGR (N.D. Cal.) (“*Pepper*”), which is pending before Judge
 9 Gonzalez Rogers. On June 21, 2019, Apple filed in *Pepper* an Administrative Motion to Consider
 10 Whether Cases Should Be Related;

11 WHEREAS, the *Cameron* and *Pepper* plaintiffs disagree with Apple’s position and filed
 12 their oppositions to Apple’s motion on June 25, 2019 and June 26, 2019, respectively;

13 WHEREAS, on June 27, 2019, Judge Gonzalez Rogers issued an Order Allowing
 14 Additional Submissions Regarding Pending Motion to Relate, expressing that “the Court is inclined
 15 to grant [Apple’s] motion” to relate this case to the *Pepper* case and ordered “supplemental
 16 briefing” due by July 8, 2019, *see* Dkt. 150, *Pepper*, 4:11-cv-06714-YGR;

17 WHEREAS, on July 22, 2019, Apple also filed in *Pepper* an Administrative Motion to
 18 Consider Whether Case Should Be Related, seeking to relate *Sermons v. Apple Inc.*, No. 3:19-CV-
 19 03796-WHA (N.D. Cal.) (“*Sermons*”) to *Pepper*;

20 WHEREAS, *Pepper* and *Sermons* plaintiffs disagree with Apple’s position and filed their
 21 oppositions to Apple’s motion on July 26, 2019;

22 WHEREAS, Judge Gonzalez Rogers has yet to rule on Apple’s June 21, 2019 and July 22,
 23 2019 motions;

24 WHEREAS, Judge Gonzalez Rogers’s “weekly court calendar schedule” indicates that the
 25 “following dates are unavailable”: Monday, July 22, 2019 through Thursday, July 25, 2019, and
 26 Friday, July 26, 2019 through Monday August 12, 2019
 27 (<https://www.cand.uscourts.gov/CEO/cfd.aspx?7145>);

28 WHEREAS, the parties previously agreed at Apple’s request to extend Apple’s time to

1 respond to the Complaint to August 12, 2019;

2 WHEREAS, the parties have met and conferred by telephone, and agree at Apple's request
3 to further extend Apple's time to respond to the Complaint to September 12, 2019;

4 WHEREAS, Apple agrees that it will respond to Plaintiffs' Complaint before responding to
5 any such substantially similar application developer Complaint, unless otherwise ordered by the
6 Court;

7 WHEREAS, this extension will not alter or otherwise impact the date of any event or any
8 deadline already fixed by Court order;

9 THEREFORE, the parties, through their counsel, hereby stipulate as follows:

- 10 1. Apple's deadline to respond to the Complaint is September 12, 2019.
- 11 2. Apple shall not respond to any application developer complaint that is substantially
12 similar to Plaintiffs' Complaint before responding to Plaintiffs' Complaint, unless otherwise
13 ordered by the Court.

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15 **IT IS SO STIPULATED.**

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1 Dated: August 5, 2019

Respectfully submitted,

2 GIBSON, DUNN & CRUTCHER LLP
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5 Daniel G. Swanson
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11 Dated: August 5, 2019

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ECF SIGNATURE ATTESTATION

In accordance with Local Rule 5-1, the filer of this document hereby attests that the concurrence of the filing of this document has been obtained from the other signatories hereto.

Dated: August 5, 2019

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Richard J. Doren
Richard J. Doren

Attorney for Defendant Apple Inc.